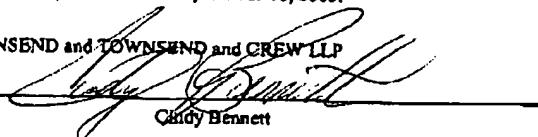


I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 746-9601 on September 16, 2003.

TOWNSEND and TOWNSEND and CREW LLP

By: 

Cindy Bennett

Atty Docket No. 020375-002710US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

John Joseph Mascavage III et al.

Application No.: 09/991,379

Filed: November 15, 2001

For: ONLINE PURCHASING METHOD

Examiner: Chencinski, Siegfried E.  
Art Unit: 3628

**PETITION TO ENTER AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant requests entry of the appended Amendment, which is a true copy of an Amendment that was originally filed in the above-referenced application via facsimile transmission on August 5, 2003. An attorney in our office was contacted by the Examiner assigned to the application after more than six months had passed after mailing of the Office Action dated March 6, 2003 to indicate that no response had been received. No Notice of Abandonment has yet been received. Applicant provides the following evidence that the Amendment was timely filed within the three-month shortened statutory period for response in accordance with 37 C.F.R. § 1.8:

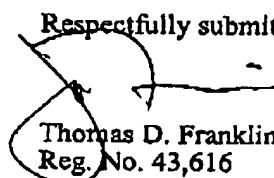
1. The Amendment includes a Certificate of Facsimile Transmission executed by Cindy Bennett indicating that the paper was transmitted via facsimile to the U.S. Patent and Trademark Office on August 5, 2003.

John Joseph Mascavage III, et al.  
Patent Appl. No. 09/991,379  
Page 2

2. A Communication Result Report received from our facsimile machine indicating successful transmission of the Amendment faxed August 5, 2003.

3. A declaration signed by Cindy Bennett who has personal knowledge of the facts.

If any fee is due for this petition, the Commissioner is authorized to deduct such a fee from Deposit Account No. 20-1430, as well as any other fees that may be determined to be due, although it is believed that all such fees may be unnecessary in view of the evidence that the Amendment was properly filed with and received by the Patent Office.

Respectfully submitted,  
  
Thomas D. Franklin  
Reg. No. 43,616

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: (303)571-4000  
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TDF:cmb

60039864 v1

Attorney Docket No. 020375-002710US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TC/AU: 3628

DECLARATION OF CINDY BENNETT

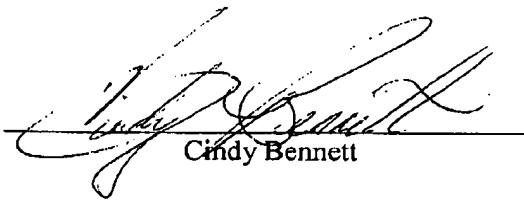
[ I, Cindy Bennett, declare as follows:

On August 5, 2003, I personally signed the facsimile certification on page 1 of the Amendment dated August 5, 2003 and transmitted via facsimile the Amendment along with a Request for Extension of Time; Transmittal Form and Fee Transmittal to the U.S. Patent and Trademark Office to facsimile number (703) 305-7687]

Attached is a copy of the Communication Result Report from our facsimile machine confirming the aforementioned documents were transmitted successfully.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, having been warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 USC §1001, and may jeopardize the validity of this application or any patent resulting therefrom.

Dated: September 16, 2003

  
Cindy Bennett

60039892 v1